

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JORGE JUAN HERNANDEZ, #877532

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VS.

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CIVIL ACTION NO. 4:18cv238

DIRECTOR, TDCJ-CID

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## **ORDER OF DISMISSAL**

The above-entitled and numbered civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation concluding that the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 is time-barred. In response, Petitioner has filed a Motion for Timeliness Petition for Reconsideration, which is construed as objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Petitioner to the Report, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of Petitioner are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the court.

It is therefore **ORDERED** that the petition for a writ of habeas corpus is **DENIED**, and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. All motions not previously ruled on are **DENIED**.

**SIGNED this the 11th day of February, 2019.**

Richard A. Schell  
RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE